

Draft Compatibility Determination

Use: Berry, Fruit, and Nut Picking

Refuge Name: Wheeler National Wildlife Refuge

County: Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Refuge Purpose(s):

"... as a refuge and breeding ground for migratory birds and other wild life: ..." Executive Order 7926, dated July 7, 1938

"... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. § 715d (Migratory Bird Conservation Act)

"... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ..." 16 U.S.C. § 460k-1 "... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k4), as amended).

National Wildlife Refuge System Mission:

"The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

The picking of berries, fruits, and nuts from native trees and shrubs for individual use. A majority of time this activity is conducted while engaging in other wildlife-oriented recreation such as wildlife observation. This activity is being reviewed as part of a legal requirement which requires that all non wildlife-dependant uses on a refuge be re-evaluated every ten years.

Availability of Resources:

No additional resources are required to administer this use. Monitoring and compliance can be handled within existing resources, programs, and staff time. This use does not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

Short-term impacts associated with this use involve littering, minor vegetation disturbance on roadsides, and wildlife disturbance caused by human presence. Visitor consumption of berries, fruits, and nuts does not significantly impact the availability of food for wildlife under current use. No long-term or cumulative impacts are anticipated.

Public Review and Comment:

Pending.

Determination (check one below):

☐ Use is not Compatible

☒ Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Berry, fruit and nut picking is restricted to daylight hours only. All collections are for personal use only. Commercial use which would include the resale of any berries, fruits, and nuts or their products will not be permitted. Users must observe refuge regulations and note certain areas are closed seasonally for wildlife purposes.

Justification:

Infrequent picking of berries, fruits, and nuts from native trees and shrubs by visiting public is deemed a wildlife-oriented activity by virtue of the fact that observation of wildlife is an expected or anticipated part of the experience.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Bicycling

Refuge Name: Wheeler National Wildlife Refuge

County: Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Refuge Purpose(s):

"... as a refuge and breeding ground for migratory birds and other wild life: ..." Executive Order 7926, dated July 7, 1938

"... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. § 715d (Migratory Bird Conservation Act)

"... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ..." 16 U.S.C. § 460k-1 "... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k4), as amended).

National Wildlife Refuge System Mission:

"The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

Bicycle riding is not one of the six priority public wildlife dependent uses of the National Wildlife Refuge System but is a historical use of the refuge covered under a previous compatibility determination completed in 1994. Bicycle riding occurs year-round on a limited basis on refuge gravel roads. During the refuge deer season, hunters use bicycles to access remote areas of the refuge that are closed to motor vehicles. During other times of the

year, bicyclists travel refuge gravel roads as a chance to observe nature in relative safety away from fast moving cars and trucks. There is a demand for horseback riding on the refuge due to the refuge's extensive gravel road system which contains over 50 miles of public gravel roads. This represents almost the entire total of gravel roads in the surrounding area that riders can safely use. Other alternatives are riding on private lands or riding on the shoulders of paved county roads which presents an evident set of dangers for both bicyclists and the driving public. On the refuge, riders are prohibited from leaving the roadways and from entering areas closed to public access. This activity is being reviewed as part of a legal requirement which requires that all non wildlife-dependant uses on a refuge be re-evaluated every ten years.

Availability of Resources:

No additional resources are required to administer this use. Monitoring and compliance can be handled within existing resources, programs, and staff time. This use does not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

Short-term impacts associated with this use involve littering, minor vegetation disturbance on roadsides, and wildlife disturbance caused by the passage of bicyclists. On rare occasions, riders may illegally leave roadways and cause short-term habitat degradation as a result of trampling of vegetation and soil compaction. Since riding is confined to existing gravel roadways open to public access, it is not anticipated that this use would significantly impact refuge resources. No long-term or cumulative impacts are anticipated.

Public Review and Comment:

Pending.

Determination (check one below):

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Bicycling is restricted to gravel roads open to public access. Users must observe refuge regulations and note that certain areas are closed seasonally for wildlife purposes.

Justification:

Bicycling on refuge gravel roads is a low impact activity that can be managed within existing refuge resources. Bicycling, in fact, is less deleterious to refuge roads and infrastructure than vehicles. It is deemed a wildlife-oriented activity by virtue of the fact that observation of wildlife is an expected or anticipated part of the experience.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Caving

Refuge Name: Wheeler National Wildlife Refuge Complex (includes Fern Cave, Sauta Cave, and Key Cave National Wildlife Refuges)

County: Jackson, Alabama; Lauderdale, Alabama; Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge, located in Madison, Morgan, and Limestone counties of Alabama, was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Key Cave National Wildlife Refuge, located in Lauderdale County, Alabama, was established under the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742a-742j, not including 742d-1); and the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

Fern Cave and Sauta Cave National Wildlife Refuges, located in Jackson, County Alabama, were both established under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

Refuge Purpose(s):

Wheeler National Wildlife Refuge

“... as a refuge and breeding ground for migratory birds and other wild life: ...” Executive Order 7926, dated July 7, 1938

“... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

“... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ...” 16 U.S.C. § 460k-1 “... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ...” 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k4), as amended).

Key Cave National Wildlife Refuge

“... for the development, advancement, management, conservation, and protection of fish and wildlife resources ...” 16 U.S.C. § 742f(a)(4) “... for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude ...” 16 U.S.C. § 742f(b)(1) (Fish and Wildlife Act of 1956)

“... to conserve (A) fish or wildlife which are listed as endangered species or threatened species or (B) plants ...” 16 U.S.C. § 1534 (Endangered Species Act of 1973)

Fern Cave and Sauta Cave National Wildlife Refuges

“... to conserve (A) fish or wildlife which are listed as endangered species or threatened species or (B) plants ...” 16 U.S.C. § 1534 (Endangered Species Act of 1973)

National Wildlife Refuge System Mission:

“The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”

Description of Use:

Caving is not one of the six priority public wildlife dependent uses of the National Wildlife Refuge System but is a historical use of the refuge complex covered under previous compatibility determinations completed in 1994. Caving is not a refuge management economic use. Entry into refuge caves, Cave Springs Cave on Wheeler NWR, Key Cave, Fern Cave and Sauta Cave, is allowed by Special Use Permit for the purpose of general surveying, monitoring conditions, photo documentation, mapping, search and rescue, and recreation (Fern Cave only). The Fern Cave system is very complex and difficult therefore this activity is limited to experienced cavers and organized groups such as the Huntsville Grotto of the National Speleological Society. Caving in the other refuge caves is also limited to organized groups, universities, or other similar entities. This activity is being reviewed as part of a legal requirement which requires that all non wildlife-dependant uses on a refuge be re-evaluated every ten years.

Availability of Resources:

No additional resources are required to administer this use. Monitoring and compliance can be handled within existing resources, programs, and staff time. This use does not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

Short-term impacts associated with this use involve minor vegetation disturbance by foot traffic on access trails to cave entrances, littering, vandalism, and wildlife disturbance caused by entry into refuge caves. The Huntsville Grotto conducts an average of 17 trips per year into Fern Cave. There is very limited use of Cave Springs Cave, Sauta Cave, and Key Cave, generally no more than two trips per year. No long-term or cumulative impacts are anticipated.

Public Review and Comment:

Pending.

Determination (check one below):

☐ Use is not Compatible

☒ Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Fern Cave is used as a hibernating cave for the endangered gray bat and possibly endangered Indiana bats. There will be no entry through the Morgue entrance during the period of August 15 – April 15 nor into any other parts of the cave complex containing any concentration of bats. Cave Springs Cave and Key Cave are used as maternity caves for gray bats and no entry is permitted from April 1 through September 30. Sauta Cave is also used by gray bats as a maternity cave or as a bachelor roost cave, and as a hibernating cave for Indiana bats. Entrance into the cave is permitted in the upper level of the cave during the month of October and the lower level of the cave during August 15 through September 15. Periodic review of this activity will be done to assure that disturbance to the endangered gray and Indiana bats does not become a problem.

An annual monitoring report of Fern Cave activities is provided to the refuge by the Huntsville Grotto. Users of the other refuge caves must provide a trip report to the refuge manager after exiting the cave.

Justification:

Caving in refuge caves is a low impact activity that can be managed within existing refuge resources (Special Use Permits). This activity provides refuge personnel with important information such as current conditions in the cave, sign of illegal entry, photo documentation, etc., which aid refuge personnel with management decisions related to the caves. It is deemed a wildlife-oriented activity by virtue of the fact that observation of wildlife is an expected or anticipated part of the experience.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Cooperative Farming

Refuge Name: Key Cave National Wildlife Refuge

County: Lauderdale, Alabama

Establishing and Acquisition Authority(ies):

Key Cave National Wildlife Refuge was established under the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742a-742j, not including 742d-l); and the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

Refuge Purpose(s):

“... for the development, advancement, management, conservation, and protection of fish and wildlife resources ...” 16 U.S.C. § 742f(a)(4) “... for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude ...” 16 U.S.C. § 742f(b)(1) (Fish and Wildlife Act of 1956)

“... to conserve (A) fish or wildlife which are listed as endangered species or threatened species or (B) plants ...” 16 U.S.C. § 1534 (Endangered Species Act of 1973)

National Wildlife Refuge System Mission:

“The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”

Description of Use:

Cooperative farming is not one of the six priority public wildlife dependent uses of the National Wildlife Refuge System but is an existing economic activity on the refuge. The refuge manages approximately 300 acres of agricultural land annually. This represents 28% of the 1,060-acre refuge. The cooperative farming program is used to provide food for migratory birds and resident wildlife species. The refuge also uses the cooperative farming program to prepare crop land for restoration of native warm season grasses. Currently, the refuge manages approximately 300 acres of native grassland (primarily a mixed stand of little bluestem, big bluestem, and indiangrass). Although not a current use on the refuge, haying is

an effective management tool used to maintain native grasslands. Local farmers, through cooperative farming agreements, manage the refuge agricultural land on a share basis, leaving the refuge share in the fields for wildlife. Crop rotations of corn, soybeans, milo, millet, and winter wheat are used on the refuge. Haying would also be coordinated through the cooperative farming agreement. The cooperative farming program is conducted primarily during the growing season (March - October); although the program may be conducted all year if winter wheat is part of the crop rotation.

Several key wildlife species use the agricultural lands including mourning doves, short-eared owls, northern harriers, and bobwhite quail. Native grasslands are used by a host of wildlife species with several key species such as grasshopper sparrow, dickcissel, short-eared owl, northern harrier, and bobwhite quail. Native grasslands may be incidentally affected by the temporary parking of farm equipment in the grasslands.

The cooperative farming program is conducted by local farmers using their own no-till equipment to plant crops. Crops are harvested by local farmers using their own equipment. Haying would also be done by local farmers using their own equipment. Crops left in the field as refuge shares may be manipulated by refuge staff or Alabama Division of Wildlife and Freshwater Fisheries personnel (e.g. knock crops to ground using tractor and bush hog), or crops may be left standing in the field with no manipulation.

The refuge is proposing the use of cooperative farming and haying of native grasslands to provide habitat for migratory birds and resident wildlife species and to maintain land in an "open" condition prior to restoration of native warm season grasses. The Alabama Department of Conservation and Natural Resources manages the adjacent Seven Mile Island Wildlife Management Area. Part of this Wildlife Management Area is managed through a cooperative farming program, however these are river bottom agricultural lands that are negatively affected by periodic floods. The cooperative farming program on the refuge is not affected by flooding because of its upland location. Primary land use near the refuge is agriculture with most of the land being farmed for cotton or used for grazing cattle, thus offering minimal wildlife habitat.

Availability of Resources:

No additional resources are required to administer this use. Monitoring and compliance can be handled within existing resources, programs, and staff time. This use does not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

The cooperative farming program supports refuge purposes and the mission of the National Wildlife Refuge System by the conservation and management of fish and wildlife resources

for the benefit of present and future generations of Americans. This use also supports refuge goals and objectives by providing a diversity of wildlife habitat. Crop rotations and minimum fertilizer rates are used to sustain soil fertility. Crop rotations and approved herbicides and pesticides are used to control weeds and certain populations of insects. These activities may result in short-term impacts to non-target plants and insects. Haying of the native grasslands would be conducted after the primary nesting season for grassland birds. Farming operations themselves may result in some short-term disturbance to wildlife species. It is not anticipated that such impacts would be permanent or effect the overall populations of plants and animals using the areas.

The cooperative farming program has the potential to cause short-term impacts to priority public uses such as hunting or wildlife observation. The operation of farm equipment may interfere with wildlife observation and hunting activities, however the affects would only be temporary. No affect to public safety is anticipated. No long-term or cumulative impacts are anticipated.

Public Review and Comment:

Pending.

Determination (check one below):

☐ Use is not Compatible

☒ Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

An annual Cooperative Farming/Haying Agreement is developed and signed by the cooperative farmer and the refuge. Annual evaluation and ongoing monitoring of the cooperative farming program will be done to insure conditions within the Cooperative Farming Agreement are being complied with and overall condition of the area is not being degraded. Stipulations within the Agreement only allow application of approved chemicals and require a no-till farming operation. Haying stipulations would only allow haying after the primary nesting season (e.g. after July 15).

Justification:

Cooperative farming on the refuge supports the National Wildlife System Mission of conserving and managing fish and wildlife habitat for the benefit of present and future generations of Americans. Crop land management is a proven management practice for providing food for migratory birds and other wildlife species. Haying is a proven method of

managing native grasslands to benefit many species of grassland birds. This use supports refuge goals and management activities by providing for a diversity of wildlife habitats.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Cooperative Farming

Refuge Name: Wheeler National Wildlife Refuge

County: Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Refuge Purpose(s):

"... as a refuge and breeding ground for migratory birds and other wild life: ..." Executive Order 7926, dated July 7, 1938

"... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. § 715d (Migratory Bird Conservation Act)

"... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ..." 16 U.S.C. § 460k-1 "... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k4), as amended).

National Wildlife Refuge System Mission:

"The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

The refuge maintains between 3,000 and 4,000 acres in fields and areas within impoundments that are planted to agricultural crops. These areas are scattered throughout the refuge. The cropland program is used primarily to provide food for species of wintering waterfowl, but also benefits other migratory and non-migratory wildlife. In addition, the program is used to maintain a diversity of wildlife habitats and to keep moist soil units free of brushy growth and other non-

Cooperative Farming at Wheeler National Wildlife Refuge

Page 1

preferred plant species. Local farmers through cooperative farming agreements manage the majority of the agricultural land on a share basis, leaving about 20% of the crops for wildlife. The refuge determines where crops will be left for greatest benefit to the resource. Crops taken by farmers generally include corn and soybeans while those left for wildlife include corn, milo, millet, and winter wheat.

Availability of Resources:

No additional resources are required to administer this use. Monitoring and compliance can be handled within existing resources, programs, and staff time. This use does not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

This use is critical to fulfilling the National Wildlife Refuge System's mission of conserving and managing wildlife on national and local levels. Cooperative farming helps fulfill national goals of programs such as the North American Waterfowl Management Plan through providing food for and maintaining habitats preferred by migratory waterfowl. The farming program is also critical to fulfilling the refuge's mission of managing migratory birds and other wildlife. A majority of the food resources provided for geese, ducks, and sandhill cranes are a result of this program.

Anticipated impacts also include those normally associated with the affects of farming on wildlife and natural resources, mainly through use of pesticides and soil loss. Pesticides applied to crops may have a variety of direct and indirect affects on wildlife. One way this is mitigated is through the annual Pesticide Use Proposal (PUP) process. A three to four page document outlining how the pesticide will applied is completed and the level of review determined by the nature of the chemical and how it will be applied. The Refuge Manager/Project Leader can approve use of relatively safe pesticides. Other chemicals must be reviewed at the Regional Office or both this office and the Washington Office depending on its toxicity and application method. The refuge must submit a document outlining its determination of potential impacts to threatened and endangered species (T/Es) to the local Ecological Services Field Office (ESFO) for concurrence. The ESFO has experts on contaminants, including pesticides, and is responsible for conservation of T/Es. The PUP process insures relatively safe pesticides are utilized and that T/Es are not adversely affected. Previously, this was done annually. However, this will be performed only once every five years unless new T/Es must be addressed or use of chemicals with different ingredients is proposed. Soil loss is mitigated through means usually utilized by the Natural Resources Conservation Service, such as no-till farming. The refuge recently implemented a 25 foot buffer from all permanent waters (i.e., no lands within 25 feet of permanent waters can be farmed).

A farm agreement is developed annually for each cooperator, except the farmer who hays, which details such requirements as which pesticides have been approved for use on areas they farm and prohibited activities such as applying chemicals aerially without the Refuge Manager's approval. The agreement also restricts the period when farming can begin each year to minimize the possibility of disturbance to waterfowl. Generally, ground cannot be worked before the dates migratory waterfowl are typically present. The SUP is used to place restrictions on activities of the farmer who hays one field on the refuge.

Although cooperative farmers plant a majority of the crops on the refuge, refuge staff also annually plant some acreage. The same procedures used to minimize impacts by cooperative farmers apply to staff, with the exception of development of a farming agreement. Staff are aware of procedures to conserve soil and are notified by memo, which pesticides are approved via the PUP process and the measures needed to insure T/Es are not adversely affected.

Public Review and Comment:

Pending.

Determination (check one below):

_____ Use is Not Compatible

 X Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Updating procedures to account for new findings regarding farming impacts will minimize their adverse affects on refuge resources. Also, the program should be modified to fulfill new refuge goals developed in the upcoming Comprehensive Conservation Planning process. Staff must monitor the program to insure farmers are adhering to their farming agreements.

Justification:

The cooperative farming program is a critical component of mangement for migratory waterfowl, and, thus, a key objective of the refuge, and benefits a variety of other wildlife. As noted above, it also helps meet national conservation objectives.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Tree Harvest (Firewood)

Refuge Name: Wheeler National Wildlife Refuge

County: Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Refuge Purpose(s):

"... as a refuge and breeding ground for migratory birds and other wild life: ..." Executive Order 7926, dated July 7, 1938

"... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. § 715d (Migratory Bird Conservation Act)

"... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ..." 16 U.S.C. § 460k-1 "... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k-4), as amended).

National Wildlife Refuge System Mission:

"The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

This use is restricted to the harvest of fallen or standing trees for non-commercial firewood gathering purposes. Historically, the refuge has issued Special Use Permits to individuals to collect firewood from trees that have fallen as a result of high winds or other storm events, and have only permitted the removal of trees that have fallen adjacent to a public use gravel road or utility right of way. Occasionally, downed wood is produced as a result of a right-of-

way maintenance activity. Driving vehicles off road will not be permitted to access downed trees unless a determination is made that access can be accomplished with minimal habitat disturbance. In the future, the harvest of standing trees may be permitted only when the action supports a tree thinning operation supported by an approved Forest Management Plan. Tree harvest for firewood purposes is not a priority public use. Harvest in conjunction with tree thinning operations would be conducted in the specific timber stand where the forest management objectives are desired and harvest of fallen trees would continue to be conducted along roadsides and right-of-ways. This use would be restricted to areas open to the public in the spring, summer and early fall in areas of the refuge where wildlife disturbance is a concern and may occur year-round in other areas where there are no wildlife disturbance concerns. Most often, wood removal activities would occur in late summer and early fall in anticipation of winter heating needs. The use would be restricted to private individuals gathering firewood for their own personal use. The use of chainsaws, axes, and other low impact methods would be permitted. The use of heavy equipment such as skidders and loaders would not be allowed. This activity is being reviewed as part of a legal requirement which requires that all non wildlife-dependant uses on a refuge be re-evaluated every ten years.

Availability of Resources:

No additional resources are required to administer this use. In the event of tree harvest in support of a timber stand improvement operation (thinning), the trees to be removed would be marked by refuge staff. However, this expense would occur regardless of whether the use of the trees was for firewood or for commercial harvest. Monitoring and compliance can be handled within existing resources, programs, and staff time. This use does not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

In permitting this activity, the potential exists to displace wildlife in the immediate area due to disturbance from harvesting operations. Small amphibians and reptiles may be displaced from their burrows and hides under tree trunks that have been on the ground for some time. Access for the purpose of removing wood may impact habitat by rutting soils, destroying ground cover, creating weed seed beds, and increasing sedimentation. These impacts can be avoided by the timing of the activity and preventing access during wet conditions. One beneficial aspect of the activity is that it prevents the accumulation of downed trees on the roadsides which hamper road maintenance activities. This benefit actually results in a cost savings to the refuge in that refuge staff do not have to clear the roadsides prior to road maintenance operations.

Public Review and Comment:

Pending.

Determination (check one below):

_____ Use is Not Compatible

 X Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Vehicle access for wood removal will be limited to existing open roads, or in the case of tree thinning operations, access will be restricted when weather conditions exist that would promote habitat degradation. A special use permit will be issued so that site specific impacts can be reduced or eliminated and Refuge management goals are met.

Justification:

Impacts to the habitat as a result of access for wood removal purposes are potentially significant but also easily avoided. Short term wildlife disturbance and minor displacement are worth the long term benefits of timber stand improvement and the cost savings associated with allowing the public to remove downed trees adjacent to and on roadsides. Additionally, the refuge can provide a much needed resource in firewood to the local community while accomplishing needed refuge maintenance thereby lessening road maintenance costs. Impacts can be eliminated or reduced by the issuance of a Special Use Permit which enables refuge managers to identify and consider site specific impacts on a case by case basis.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Horseback Riding

Refuge Name: Wheeler National Wildlife Refuge

County: Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Refuge Purpose(s):

"... as a refuge and breeding ground for migratory birds and other wild life: ..." Executive Order 7926, dated July 7, 1938

"... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. § 715d (Migratory Bird Conservation Act)

"... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ..." 16 U.S.C. § 460k-1 "... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k4), as amended).

National Wildlife Refuge System Mission:

"The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

Horseback riding is not one of the six priority public wildlife dependent uses of the National Wildlife Refuge System but is a historical use of the refuge covered under a previous compatibility determination completed in 1994. According to Alabama state law, horses are still considered vehicles. Horseback riding occurs year-round on a limited basis on refuge gravel roads open to vehicular traffic but is more likely to occur in the spring, summer, and

fall months due to weather conditions. There is somewhat of a demand for horseback riding on the refuge due to the refuge's extensive gravel road system which contains over 50 miles of public gravel roads. This represents almost the entire total of gravel roads in the surrounding area that riders can safely use. Other alternatives are riding on private lands, trailering horses to Bankhead National Forest, or riding on the shoulders of paved county roads which presents an evident set of dangers for both equestrians and the driving public. On the refuge, riders are prohibited from leaving the roadways and from entering areas closed to vehicles. This activity is being reviewed as part of a legal requirement which requires that all non wildlife-dependant uses on a refuge be re-evaluated every ten years.

Availability of Resources:

No additional resources are required to administer this use. Monitoring and compliance can be handled within existing resources, programs, and staff time. This use does not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

Short-term impacts associated with this use involve littering, minor vegetation disturbance on roadsides, and wildlife disturbance caused by the passage of horse and rider. On rare occasions, riders may illegally leave roadways and cause short-term habitat degradation as a result of trampling of vegetation and soil compaction. Since riding is confined to existing gravel roadways it is not anticipated that this use would impact refuge resources any more than vehicle traffic. No long-term or cumulative impacts are anticipated.

Public Review and Comment:

Pending

Determination (check one below):

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Horseback riding is restricted to open gravel roads during daylight hours. Users must observe refuge regulations and note that certain areas are closed seasonally for wildlife purposes.

Justification:

Horseback riding on refuge gravel roads is a low impact activity that can be managed within existing refuge resources. Horseback riding, in fact, is less deleterious to refuge roads and infrastructure than vehicles. It is deemed a wildlife-oriented activity by virtue of the fact that observation of wildlife is an expected or anticipated part of the experience.

Prepared By: _____

(Signature and Date)

Signature: Refuge Manager: _____

(Signature and Date)

Review: Regional Compatibility Coordinator: _____

(Signature and Date)

Review: Refuge Supervisor: _____

(Signature and Date)

Concurrence: Regional Chief _____

(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Picnicking

Refuge Name: Wheeler National Wildlife Refuge

County: Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Refuge Purpose(s):

"... as a refuge and breeding ground for migratory birds and other wild life: ..." Executive Order 7926, dated July 7, 1938

"... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. § 715d (Migratory Bird Conservation Act)

"... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ..." 16 U.S.C. § 460k-1 "... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k4), as amended).

National Wildlife Refuge System Mission:

"The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

There is presently one designated picnic site with five moveable tables. This area is located adjacent to the Visitor Center and is used mostly by school groups in conjunction with environmental education classes and other visitors taking part in wildlife-oriented activities. There is also informal picnicking by refuge visitors at other areas such as refuge roads and trails, parking areas, etc.

Availability of Resources:

No additional resources are required to administer this use. Monitoring and compliance can be handled within existing resources, programs, and staff time. This use does not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

Picnicking at the designated site offers no significant anticipated additional impacts since this is adjacent to an existing high public use area. Informal picnicking at other than the designated area should not result in significant impacts, since these are routinely high-visibility areas regularly patrolled by refuge staff. Impacts such as free roaming pets, littering, trampling of vegetation and wildlife disturbance can be anticipated, but not on a frequent basis. Long-term or cumulative impacts are not anticipated.

Public Review and Comment:

Pending

Determination (check one below):

☐ Use is not Compatible

☒ Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Patrol of the picnic area by Park Rangers should continue to minimize any violations. In addition, ranger presence will help ensure that visitors restrict their activities to only the picnic area and stay out of adjacent habitats. No expansion of picnicking beyond the current level is planned.

Justification:

Picnicking at the designated area and other refuge areas are low impact activities that can be managed within existing refuge resources. It is deemed a wildlife-oriented activity by virtue of the fact that observation of wildlife is an expected or anticipated part of the experience.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Research

Refuge Name: Wheeler National Wildlife Refuge Complex (includes Fern Cave, Sauta Cave, and Key Cave National Wildlife Refuges)

County: Jackson, Alabama; Lauderdale, Alabama; Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge, located in Madison, Morgan, and Limestone counties of Alabama, was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Key Cave National Wildlife Refuge, located in Lauderdale County, Alabama, was established under the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742a-742j, not including 742d-1); and the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

Fern Cave and Sauta Cave National Wildlife Refuges, located in Jackson, County Alabama, were both established under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

Refuge Purpose(s):

Wheeler National Wildlife Refuge

“... as a refuge and breeding ground for migratory birds and other wild life: ...” Executive Order 7926, dated July 7, 1938

“... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

“... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ...” 16 U.S.C. § 460k-1 “... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ...” 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k4), as amended).

Key Cave National Wildlife Refuge

“... for the development, advancement, management, conservation, and protection of fish and wildlife resources ...” 16 U.S.C. § 742f(a)(4) “... for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude ...” 16 U.S.C. § 742f(b)(1) (Fish and Wildlife Act of 1956)

“... to conserve (A) fish or wildlife which are listed as endangered species or threatened species or (B) plants ...” 16 U.S.C. § 1534 (Endangered Species Act of 1973)

Fern Cave and Sauta Cave National Wildlife Refuges

“... to conserve (A) fish or wildlife which are listed as endangered species or threatened species or (B) plants ...” 16 U.S.C. § 1534 (Endangered Species Act of 1973)

National Wildlife Refuge System Mission:

“The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”

Description of Use:

Research is not one of the six priority public wildlife dependent uses of the National Wildlife Refuge System but is an existing use of the refuge complex covered under previous compatibility determinations completed in 1994. This activity is not a refuge management economic use. Biological research conducted by non-Fish and Wildlife Service personnel on refuge lands is generally done by universities, Alabama Natural Heritage Program, or other similar entities. This activity is being reviewed as part of a legal requirement which requires that all non wildlife-dependant uses on a refuge be re-evaluated every ten years.

Availability of Resources:

No additional resources are required to administer this use. Monitoring and compliance can be handled within existing resources, programs, and staff time. This use does not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

The collection of field data during a research project often results in some mortality to target species, either inadvertently or by design. Mortality will not be an option for any research

involving threatened or endangered species. Short-term impacts associated with this use may involve minor vegetation/habitat disturbance, littering, vandalism, and wildlife disturbance caused by researchers. No long-term or cumulative impacts are anticipated.

Public Review and Comment:

Pending

Determination (check one below):

_____ Use is Not Compatible

 X Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Impacts should be minimized due to strict monitoring of projects by refuge personnel. All research proposals are reviewed by the Project Leader before approval is given. A Special Use Permit is prepared for each project, specifying the purpose of the project, location of field work, and any special conditions that the permittee is required to follow. Refuge personnel regularly monitor the progress of field work, and all permittees are required to submit an annual report of work accomplished.

Justification:

Research by non-Fish and Wildlife Service personnel is a low impact activity that can be managed within existing refuge resources (Special Use Permits). This activity is important because it provides the refuge with scientific information about wildlife populations and/or their habitats that can be used to more effectively manage natural resources. Access to current information is a critical part of the refuge decision making process.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Retriever Trials

Refuge Name: Wheeler National Wildlife Refuge

County: Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Refuge Purpose(s):

“... as a refuge and breeding ground for migratory birds and other wildlife: ...” Executive Order 7926, dated July 7, 1938

“... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

“... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ...” 16 U.S.C. § 460k-1 “... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ...” 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k-4), as amended).

National Wildlife Refuge System Mission:

“The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”

Description of Use:

Retriever trials are not one of the six priority public wildlife dependant uses of the National Wildlife Refuge System but are a historical use of the refuge covered under a previous compatibility determination completed in 1994. Retriever trials would be conducted in the White Springs Dewatering Unit. Trials would be permitted from March 16 through September 30 annually and would be permitted for no more than two consecutive calendar

days for local trials and three consecutive calendar days for regional or national trials. A maximum of two retriever trials per organized club would be permitted each year.

Availability of Resources:

No additional resources would be required to administer this use. Monitoring and compliance would be handled within existing resources, programs, and staff time. This use would not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

Short-term impacts associated with this use would include minor vegetation disturbance and temporary disturbance to wildlife in the area during the activity. No long-term or cumulative impacts would be anticipated.

Public Review and Comment:

Pending.

Determination (check one below):

☐ Use is not Compatible

☒ Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Retriever clubs are required to obtain a Refuge Special Use Permit. Trials must be conducted in accordance with State regulations. Retriever club officials and trial participants must take care to avoid disturbance to waterfowl and other wildlife. Refuge gates must remain closed and an attendant on duty at gates to allow participants and observers to enter and exit and to prevent unauthorized entry. Pen raised birds must be certified as disease free by the supplier and these birds must be inspected by refuge personnel prior to their use during field trials. No live birds may be released on the refuge. All birds must be removed from the refuge at the end of each day. Live ammunition must not be used or brought onto the refuge. Immediately following the trials, a Field Trials Report Form must be completed and returned to the Refuge Headquarters. Failure to complete and return a Field Trials Report Form may result in the denial of future requests for field trial permits.

Justification:

Retriever trials are a low impact activity that have no long-term or cumulative effects and can be managed within existing refuge resources. They do not materially interfere with or detract from refuge goals, objectives, or refuge management activities; adversely affect refuge

biological resources; or, conflict with wildlife-dependent priority public uses. Therefore, they are an acceptable form of wildlife-oriented recreation.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Right-of-Way Permits

Refuge Name: Wheeler National Wildlife Refuge

County: Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Refuge Purpose(s):

“... as a refuge and breeding ground for migratory birds and other wild life: ...” Executive Order 7926, dated July 7, 1938

“... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

“... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ...” 16 U.S.C. § 460k-1 “... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ...” 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k-4), as amended).

National Wildlife Refuge System Mission:

“The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”

Description of Use:

Rights-of-Way are not one of the six priority public wildlife dependant uses of the National Wildlife Refuge System but are a historical use of the refuge covered under a previous compatibility determination completed in 1994. A significant number of Right-of-Way permits have been granted over the years resulting in cumulative impacts on refuge resources. Current policy is to only consider, on a case-by-case basis, requests that propose

use in an existing Rights-of-Way corridor. Proposed activities would be considered only when the activity would not result in impacts to refuge resources during important wildlife use periods. Wheeler National Wildlife Refuge stretches along 20 miles of the Tennessee River between several developing urban municipalities. Because of its location and the rapidly expanding nature of developing communities, opportunities for this proposed use do not always exist on nearby public or private lands in the area.

Availability of Resources:

Administration and management associated with this use would be varied and depend on proposed activities. In general, resources needed to administer and manage the Right-of-Way permit system would be handled within existing resources, programs, and staff time. Any maintenance costs associated with the proposed use or monitoring of impacts during project construction would be the responsibility of the applicant.

Anticipated Impacts of the Use:

Short- and long-term impacts associated with this use would be varied and depend on proposed activities. In general, short-term impacts would involve vegetation disturbance, soil compaction, soil erosion, sedimentation in adjacent waters, access road disturbance, and wildlife disturbance. Long-term impacts would result in wildlife disturbance and loss of upland and wetland habitats. Cumulative impacts to refuge resources resulting from this use would be expected due to the number of like uses permitted in the past.

Public Review and Comment:

Pending.

Determination (check one below):

☐ Use is Not Compatible

☒ Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Stipulations to ensure compatibility would be determined on a case-by-case basis as delineated in policy. In general, new requests would be considered only if no other feasible alternative were available and require the use of an exiting Right-of-Way corridor. All habitat losses would require appropriate mitigation under the Fish and Wildlife Coordination Act. Approved construction activities would be seasonally limited to avoid periods of high wildlife use. The use of Best Management Practices would be required.

Justification:

The location of Wheeler National Wildlife Refuge within a rapidly developing urban area results in a significant number of Rights-of-Way requests. Each requested use would be reviewed on a case-by-case basis. In general, compatibility would be determined only when no other feasible alternative is available, an existing Right-of-Way Corridor is used, and all habitat impacts are fully mitigated.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Special Fishing Events

Refuge Name: Wheeler National Wildlife Refuge

County: Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Refuge Purpose(s):

"... as a refuge and breeding ground for migratory birds and other wild life: ..." Executive Order 7926, dated July 7, 1938

"... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. § 715d (Migratory Bird Conservation Act)

"... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ..." 16 U.S.C. § 460k-1 "... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k4), as amended).

National Wildlife Refuge System Mission:

"The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

Each year the Refuge hosts several special fishing events at the 3-acre Special Event Fishing Pond located near the Visitor Center. The pond was created to provide a controlled and accessible area where fishing events could be held on an annual basis. A Youth Fishing Rodeo is held in May and is open to children ages 3 to 15. The children must be accompanied by an adult and only the children are allowed to fish. Trophies and door prizes

Special Fishing Events at Wheeler National Wildlife Refuge

Page 1

are awarded. A United Way Day of Caring fishing event takes place in September. This event offers the visitor with special needs an opportunity to fish and enjoy the outdoors. In addition to these two events, smaller special needs groups, as well as, environmental education groups, schedule a morning of fishing through-out the summer. Over 40 groups use the special event fishing pond annually. These activities are being reviewed as part of a legal requirement which requires that all non wildlife-dependant uses on a refuge be re-evaluated every ten years.

Availability of Resources:

No additional resources are required to administer this use. Monitoring and compliance can be handled within existing resources, programs, and staff time. This use does not require any special facilities or improvements to any existing facilities.

Anticipated Impacts of the Use:

These one-day activities should not have any adverse impacts on the fisheries resource in the special event pond. Short-term impacts associated with this use involve minor vegetation disturbance around the pond and temporary disturbance to wildlife species in the immediate area during the activity. These events are closely chaperoned, which prevents any serious disturbances. Long-term or cumulative impacts are not anticipated.

Public Review and Comment:

Pending.

Determination (check one below):

☐ Use is not Compatible

☒ Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

The Special Event Fishing Pond is open only for the scheduled special events. The pond is not open to the general public for fishing.

Justification:

The Youth Fishing Rodeo serves as an educational opportunity to introduce children to recreational fishing. This is done through a structured program staffed by refuge personnel and local volunteers. The United Way Day of Caring fishing event provides an opportunity

for physically and mentally challenged visitors to experience fishing in a secure and accessible environment.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____

Draft Compatibility Determination

Use: Timber Management

Refuge Name: Wheeler National Wildlife Refuge

County: Limestone, Alabama; Madison, Alabama; Morgan, Alabama

Establishing and Acquisition Authority(ies):

Wheeler National Wildlife Refuge was established by Executive Order 7926 by President Franklin D. Roosevelt on July 7, 1938. The Refuge is overlaid on the middle third of the Tennessee Valley Authority's Wheeler Reservoir.

Refuge Purpose(s):

"... as a refuge and breeding ground for migratory birds and other wild life: ..." Executive Order 7926, dated July 7, 1938

"... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. § 715d (Migratory Bird Conservation Act)

"... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ..." 16 U.S.C. § 460k-1 "... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k4), as amended).

National Wildlife Refuge System Mission:

"The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

The refuge previously managed about 13,000 acres of forested lands of which some 10,000 are Mississippi Valley type hardwoods and 3,000 acres of pine plantations. Recently, the refuge has not been actively managing its forest because the forester retired and the position was converted to a biologist.

Plans are to remove pines from the refuge and convert them to hardwoods and to thin some hardwood stands. It is believed from some historical information located to date (Harper 1943 and TVA 1938) that pines are not native to the refuge. Pine and pine-hardwood stands will be converted to hardwood stands through a variety of methods or combinations thereof—natural succession, harvesting followed by natural succession, and, perhaps, killing stands not commercially harvestable by use of herbicides. Many hardwood stands do not have the complexity, generally gauged by the number of varying heights of vegetation, necessary to support the greatest number and diversity of migratory forest songbirds, especially those becoming rare. Songbird surveys are being conducted in a number of relatively small and large stands. After initial data is collected, some small and large stands will be thinned to allow light in and the midstory and understory vegetation to grow. Bird response in stands not thinned will be compared to that in thinned stands. If thinning increases numbers and/or diversity of migratory songbirds, especially those becoming rare, then stands will be thinned throughout the refuge to simulate the same conditions. However, some stands may not be thinned to provide habitat diversity in hardwood stands. Hardwood stands may also be thinned on the refuge as needed to promote healthy forest stands. At this time, no specific stands have been identified for thinning except those that are part of the study to determine bird responses. General areas planned for thinning for this study are Blackwell Swamp, White Springs, and Talley Bottoms.

Availability of Resources:

A forester would be needed to plan and oversee the thinning to develop the complexity of forest layers required. Preferably, a regional forester would be hired to coordinate this activity as well as forest management on other refuges in the northern portion of the state. Otherwise, a forester may have to come from another refuge or area to assist with our planned management, as this individual is available. Money to pay the salary and benefits of this forester would be needed. Actual harvesting of the trees would likely be contracted to the highest bidder.

Anticipated Impacts of the Use:

This activity is designed to fulfill the primary purpose of the refuge to conserve migratory birds. It will also help meet regional and national goals to conserve migratory songbirds, including those that are becoming rare.

Converting pines to hardwoods may reduce the number of bird species present on the refuge. However, it will provide more of the habitat that historically occurred on the refuge, thus providing a larger area for the songbirds that use this habitat. This will help fulfill the requirements of the refuge systems' policy on *Biological Integrity, Diversity, and Environmental Health* by restoring historically occurring habitats and species.

Negative impacts from using herbicides to convert pine stands to hardwoods are expected to be minor. The U.S. Fish and Wildlife Service's (FWS) Pesticide Use Proposal process will be used to insure relatively safe pesticides are applied. In addition, coordination with the local Ecological Services Field Office will insure threatened and endangered species are not negatively affected.

Anticipated short-term impacts of the timber harvesting include noise affects on wildlife, inability of individuals to use the stand during active harvesting, and some inconvenience to users when they have to climb over/around treetops and limbs lying on the ground (called slash). However, this slash helps provide habitat for a variety of forest creatures, including invertebrates, amphibians, reptiles, small mammals, and birds. In the long-term, many hardwood stands that are currently open will have a heavier mid-story and understory if the study of bird response to thinning shows improved use by forest birds. This will have effects such as reducing sight distance, which can be advantageous or disadvantageous. For example, hunters may not be able to see deer from as great a distance but these game animals may approach hunters more closely. Although birders may not be able to see birds from afar, more birds will be present to observe. While numbers of forest birds that use hardwood stands will likely increase, the overall number of forest bird species will likely decline due to removal of pine habitat. To some extent, this will reverse a trend that has occurred throughout the landscape due to conversion of hardwood stands to pine during timber management. This will be true for a variety of wildlife, including plants and animals.

Literature Cited

Harper, R.M. 1943. Forests of Alabama. Monograph 10, Geological Survey of Alabama, University of Alabama. Wetumpka Printing Co., Wetumpka, AL.

Tennessee Valley Authority. 1938. The Scenic Resources of the Tennessee Valley: A Descriptive and Pictorial Inventory. TVA Department of Regional Planning Studies, Knoxville, TN.

Public Review and Comment:

Pending.

Determination (check one below):

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

A forester who can plan and oversee the needed thinning operations in hardwood stands will be critical during the study of thinning and bird use and during other thinning operations that may result if bird use increases in thinned stands.

Justification:

This activity is designed to fulfill refuge purposes; regional, national, and international goals for bird conservation; and the mission of the National Wildlife Refuge System.

Prepared By: _____
(Signature and Date)

Signature: Refuge Manager: _____
(Signature and Date)

Review: Regional Compatibility Coordinator: _____
(Signature and Date)

Review: Refuge Supervisor: _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10 or 15-year Re-Evaluation Date: _____